

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DENNIS ALLEN, et al.

:

Case No. C-1-01-159

Plaintiffs

:

Judge Herman J. Weber

v.

:

Magistrate Judge Timothy S.
Hogan

JOINT STATUS REPORT

JOHN CRARY, et al.

:

Defendant/

:

Third-Party Plaintiff

:

v.

:

POLLY JONES, et al.

:

Third-Party Defendants

:

In accordance with the Amended Scheduling Order in this case, the parties submit this Joint Status Report:

1. The parties completed discovery on September 15, 2003.
2. The dispositive motions deadline is October 15, 2003.
3. The following motions are pending before the Court: (Defendant John Crary has opposed all three motions.)
 - A. Plaintiff's Motion to Review Magistrate Judge Hogan's Recommendation on Defendant John Crary's Motion to Dismiss;
 - B. Third-Party Defendants Polly Jones and Third-Party Defendants Polly Jones' Dismiss Claims by Defendant/Third-Party Plaintiff John Crary; and
 - C. Third-Party Defendant Polly Jones' Motion to Dismiss.

Expedited Motion to Contain Third-Party Claims Only.

4. Defendant/Third-Party Defendant/Third-Party Plaintiff/Defendant/Third-Party Plaintiff may dismiss, Third-Party Defendant James Thelan. may dismiss, Third-Party Defendant responded the Third Party Complaint.

The undersigned note that Defendant Leonard Kristal is not represented by counsel and, during the pendency of this litigation, has been extraordinarily difficult to reach by telephone, e-mail, U.S. mail or otherwise. Actelephone, e-mail, U.S. mail or otherwise not presented to Defendant Kristal for his review.

Respectfully submitted,

s/ Stephen A. Simon

David M. Cook (Ohio Bar #0023469)
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Trial Attorneys for Plaintiffs and Third-Party Defendants,
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--and

s/ Christopher D. Denny (per written authorization on 9/30/03, s/ Stephen A. Simon)

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